

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
---	----------------------------------

This document relates to:

*Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.*, 15-cv-9903(GBD)(SN)

*Arias, et al. v. The Islamic Republic of Iran, et al.*, 19-cv-00041(GBD)(SN)

*Prior, et al. v. The Islamic Republic of Iran, et al.*, 19-cv-00044(GBD)(SN)

**PLAINTIFFS' NOTICE OF MOTION FOR ENTRY OF PARTIAL FINAL DEFAULT  
JUDGMENTS ON BEHALF OF U.S.-NATIONAL DEATH AND SOLATIUM  
PLAINTIFFS**

**(BURNETT / IRAN XXIX)**  
**(ARIAS 7)**  
**(PRIOR 6)**

PLEASE TAKE NOTICE that upon the accompanying declaration of John M. Eubanks, with exhibits, and the accompanying memorandum of law, the Plaintiffs identified in the exhibits to the accompanying declaration of John M. Eubanks, respectfully move this Court for an Order awarding them:

- (1) solatium damages for the losses they suffered as the immediate family members (in this instance, spouses, parents, children, and siblings, or the estate of a spouse, parent, child, or sibling) of their decedents in the same per plaintiff amounts previously awarded by this Court to various similarly situated plaintiffs;
- (2) compensatory damages for pain and suffering in the same per estate amount previously awarded by this Court regarding other estates of decedents killed in the terrorist attacks on September 11, 2001;

- (3) economic-loss damages for the plaintiffs identified in the expert reports attached as Exhibit C to the Eubanks Declaration and filed under seal with the Court to protect personal financial information of the decedents;
- (4) prejudgment interest at the rate of 4.96 percent per annum, compounded annually for the period from September 11, 2001 until the date of the judgment;
- (5) permission for the *Burnett*, *Arias*, and *Prior* Plaintiffs identified in the exhibits to the Eubanks Declaration to seek punitive damages, economic damages, or other damages at a later date; and
- (6) for all other *Burnett*, *Arias*, and *Prior* Plaintiffs not appearing on the exhibits to the Eubanks Declaration to submit applications for damages awards in later stages, to the extent such awards have not previously been addressed.

Plaintiffs' request is made in connection with the judgment for default as to liability entered against the Islamic Republic of Iran, the Islamic Revolutionary Guard Corps, and the Central Bank of the Islamic Republic of Iran (collectively, "the Iran Defendants") in the *Burnett* case on January 31, 2017. 15-cv-9903, ECF No. 85. It is also made in connection with the judgments for default as to liability against the Islamic Republic of Iran in the *Arias* (on September 9, 2019) and *Prior* (on September 6, 2019) cases. ECF Nos. 5088 and 5104.

Dated: May 2, 2024

Respectfully submitted,

MOTLEY RICE LLC

/S/ John M. Eubanks  
John M. Eubanks, Esq.  
Jodi Westbrook Flowers, Esq.  
Robert T. Haefele, Esq.  
Jade Haileselassie, Esq.  
28 Bridgeside Boulevard  
Mount Pleasant, SC 29464

Tel: (843) 216-9000  
Fax: (843) 216-9450  
Email: [jeubanks@motleyrice.com](mailto:jeubanks@motleyrice.com)

*Attorneys for Plaintiffs*